
By: **Delegates Owings and Oaks**
Introduced and read first time: January 31, 2003
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Department of the Environment - State Used Tire Cleanup and Recycling**
3 **Fund**

4 FOR the purpose of requiring the Department of the Environment to use the State
5 Used Tire Cleanup and Recycling Fund, with certain approval, to provide
6 financial assistance for certain research and development regarding scrap tires;
7 and generally relating to the State Used Tire Cleanup and Recycling Fund.

8 BY repealing and reenacting, with amendments,
9 Article - Environment
10 Section 9-275
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2002 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Environment**

16 9-275.

17 (a) Subject to the appropriation process in the annual operating budget, the
18 Department shall use the State Used Tire Cleanup and Recycling Fund solely:

19 (1) For removal, restoration, emergency, or remedial action, including
20 the restoration of natural resources where feasible, site maintenance and monitoring,
21 and fire cessation, if requested by a local government, not to exceed \$100,000 for each
22 fire cessation emergency action in that jurisdiction, in response to the disposal or
23 storage of scrap tires in violation of this subtitle, including:

24 (i) All costs incurred by the State in inspecting and monitoring any
25 site where scrap tires are processed, stored, or disposed of in violation of this subtitle
26 and assessing the threat to the public health and the environment of the site, the
27 costs of investigations conducted for the purpose of defining necessary remedial

1 action, and the costs of litigation expenses incurred in obtaining reimbursement for
2 expenditures; and

3 (ii) All costs incurred in providing public information concerning a
4 site where scrap tires are processed, stored, or disposed of;

5 (2) For activities related to scrap tire recycling programs, including
6 research, planning, monitoring, public education, and market development, and for
7 associated administrative costs; and

8 (3) With the approval of the Board of Public Works, to provide financial
9 assistance:

10 (i) Through the service:

11 1. for projects approved by the Department to reduce,
12 recover, and recycle scrap tires; AND

13 2. FOR THE RESEARCH AND DEVELOPMENT OF METHODS TO
14 REDUCE, RECOVER, AND RECYCLE SCRAP TIRES; and

15 (ii) To the service for costs related to the implementation of scrap
16 tire recycling systems, including the costs of:

17 1. Preparation of a scrap tire recycling system under §
18 9-228(e) of this subtitle;

19 2. Implementation of any program established by the service
20 as a part of a scrap tire recycling system; and

21 3. Assisting in funding the establishment of a private or
22 public scrap tire collection, processing, or recycling facility.

23 (b) Subject to § 2-1246 of the State Government Article, the Department shall
24 provide the standing committees of the Maryland General Assembly with primary
25 jurisdiction over this section with a status report on the Fund on or before November
26 1 of each year. The report shall include an accounting of all moneys expended for each
27 of the purposes specified in subsection (a) of this section.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2003.